

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
v. : MAGISTRATE NO. 20-1000  
CERTAIN PERSON :

**ORDER**

AND NOW, this 15<sup>th</sup> day of June, 2020 upon application of the United States Attorney that the complaint, warrant and affidavit, and corresponding docket entries in the within criminal proceeding be impounded, said motion is hereby GRANTED and it is

ORDERED

that the complaint, warrant and affidavit, and corresponding docket entries, in the above-mentioned case are hereby IMPOUNDED and to be retained in the custody of the Clerk of Court until further order of the Court or until notified by the United States Attorney, or his representative, that the defendant has been arrested, except that the Clerk of Court is authorized to provide two certified copies of the warrant to the United States Marshals Service and the FBI. The Clerk of Court is directed to make no public docket entry of the sealed documents and motion and order to seal, and to provide copies of all sealed documents only to Robert J. Livermore, Assistant United States Attorney.

IT IS FURTHER ORDERED THAT the complaint, warrant and affidavit, and corresponding docket entries, shall be unimpounded immediately upon notification by the United

States Attorney, or his representative, that all of the defendants have been arrested or upon further order of the Court.

BY THE COURT:

/s/ The Honorable Marilyn Heffley  
HON. MARILYN HEFFLEY  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
v. : MAGISTRATE NO. 20-1000  
CERTAIN PERSON :

**MOTION TO IMPOUND COMPLAINT AND WARRANT**

The United States of America, by and through its attorneys, William M. McSwain, United States Attorney in and for the Eastern District of Pennsylvania, and Robert J. Livermore, Assistant United States Attorney for that District, moves that the complaint, warrant and affidavit, and corresponding docket entries in the within criminal proceeding be impounded, and, in support thereof, alleges that if the existence and content of these documents are made public prior to the arrest of the defendant there is the risk that the defendant will flee, thereby hindering the execution of the arrest warrant.

WHEREFORE, the government respectfully requests that this Court enter an order directing that the complaint, warrant and affidavit, and corresponding docket entries, in the above-mentioned case be IMPOUNDED and be retained in the custody of the Clerk of Court until further order of the Court or until notified by the United States Attorney, or his representative, that the defendant has been arrested, except for the two certified copies of the warrant to be provided to the United States Marshal's Service and the FBI. The government further requests that the Clerk of Court be directed to make no public docket entry of the sealed documents and motion and order to seal, and to provide copies of all sealed documents only to Robert J. Livermore, Assistant United States Attorney, until further order of the Court or until

notified by the United States Attorney, or his representative, that the defendant has been arrested.

Respectfully submitted,

WILLIAM M. McSWAIN  
United States Attorney

/s/ Robert J. Livermore  
Robert J. Livermore  
Assistant United States Attorney

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

PETER FRATUS

Case No. 20-MJ-1000

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*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 6, 2020 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 875(c)

Interstate threatening communications

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

/s/ Joshua J. Hubiak

*Complainant's signature*

Joshua J. Hubiak, Special Agent, FBI

*Printed name and title*

Sworn to before me and signed in my presence.

Date: June 15, 2020

/s/ The Honorable Marilyn Heffley

*Judge's signature*City and state: Philadelphia, PA

HON. MARILYN HEFFLEY, USMJ

*Printed name and title*